

Senate Bill 7 - Prefile

By: Senator Stoner of the 6th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act providing for the method of filling vacancies on the Board of Education
2 of Cobb County, approved April 25, 1996 (Ga. L. 1996, p. 4570), so as to provide that such
3 elections shall be nonpartisan; to provide for related matters; to provide for submission of
4 this Act for preclearance under the federal Voting Rights Act of 1965, as amended; to repeal
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 An Act providing for the method of filling vacancies on the Board of Education of Cobb
9 County, approved April 25, 1996 (Ga. L. 1996, p. 4570), is amended by revising Section 1
10 as follows:

11 "SECTION 1.

12 In the event of a vacancy on the Board of Education of Cobb County for any reason other
13 than by expiration of a term of office, if such vacancy is not otherwise scheduled to be
14 filled at a nonpartisan election held in conjunction with a November general election within
15 90 days after the vacancy occurs, it shall be the duty of the election superintendent of Cobb
16 County to call and conduct a special nonpartisan election to be held not less than 90 nor
17 more than 100 days after the vacancy occurs for the purpose of electing a qualified person
18 to fill such vacancy for the unexpired term. Such special nonpartisan election shall be held
19 only within the education district wherein the vacancy occurred. Any person elected to fill
20 a vacancy shall have the qualifications for membership on the board and shall be a resident
21 of the education district such person is elected to represent. Candidates shall have five
22 business days in which to qualify for the special nonpartisan election. The special
23 nonpartisan election shall be conducted in accordance with the applicable provisions of
24 Code Section 21-2-139 and of Chapter 2 of Title 21 of the O.C.G.A., known as the 'Georgia

1 Election Code.' All persons elected to fill vacancies pursuant to the provisions of this
2 section shall serve for the remainder of the unexpired term of any such office and until a
3 successor is elected and qualified. If the vacancy is otherwise scheduled to be filled at the
4 next nonpartisan election held in conjunction with a November general election within 90
5 days after the vacancy occurs, such office shall stand vacant for the remainder of its term
6 and until a successor is elected at the next general election and duly qualified."

7 **SECTION 2.**

8 The Board of Education of Cobb County shall through its legal counsel cause this Act to be
9 submitted for preclearance under the federal Voting Rights Act of 1965, as amended; and
10 such submission shall be made to the United States Department of Justice or filed with the
11 appropriate court no later than 60 days after the date on which this Act is approved by the
12 Governor or otherwise becomes law without such approval.

13 **SECTION 3.**

14 All laws and parts of laws in conflict with this Act are repealed.